

06-04-01

A

06/01/01
1c961 U.S. PTO

Please type a plus sign (+) inside this box → +

PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

NEW UTILITY PATENT APPLICATION TRANSMITTAL <i>(only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket Number	19923-05988US
	First Named Inventor	David C. Banks
	Title	Link Trunking And Measuring Link Latency in Fibre Channel Fabric
	Express Mail Label No.	EL566201001US

1c979 U.S. PTO
09/07/2001
06/01/01

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 3. <input checked="" type="checkbox"/> Specification Total Pages <input type="text" value="42"/> <i>(preferred arrangement set forth below)</i> <input type="checkbox"/> Descriptive Title of the Invention <input type="checkbox"/> Cross Reference(s) to Related Case(s) <input type="checkbox"/> Statement Regarding Fed sponsored R & D <input type="checkbox"/> Background of the Invention <input type="checkbox"/> Brief Summary of the Invention <input type="checkbox"/> Brief Description of the Drawing(s) <input type="checkbox"/> Detailed Description <input type="checkbox"/> Claim or Claims <input type="checkbox"/> Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets <input type="text" value="11"/> 5. Oath or Declaration a. <input checked="" type="checkbox"/> New Declaration Total Pages <input type="text" value="1"/> <input checked="" type="checkbox"/> Unexecuted b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 9. <input checked="" type="checkbox"/> Power of Attorney or Authorization of Agent (unexecuted) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement 11. <input type="checkbox"/> Preliminary Amendment 12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s) 13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 14. <input checked="" type="checkbox"/> Return Postcard 15. <input type="checkbox"/> _____ 16. <input type="checkbox"/> _____ 17. <input type="checkbox"/> _____
	ADDRESS TO: Box Patent Application Commissioner for Patents Washington, D.C. 20231


18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: ___/___

Prior application information: Examiner: _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS


 Customer Number and Bar Code Label
00758

Name (Print/Type)	Martin S.C. Loui	Registration No. (Attorney/Agent)	43,411
Signature	<i>Martin S. Loui</i>	Date	June 1, 2001

0002/PTO(modified) Rev. 10/2000	U.S. Department of Commerce Patent and Trademark Office	Complete if Known
FEE TRANSMITTAL		Application Number: Not yet known
TOTAL AMOUNT OF PAYMENT		Filing Date: June 1, 2001
Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$1050.00)		First Named Inventor: David C. Banks
		Group Art Unit: Not yet known
		Examiner Name: Not yet known
		Attorney Docket Number: 19923-05988US

METHOD OF PAYMENT	FEE CALCULATION (continued)
--------------------------	------------------------------------

1. The Commissioner is hereby authorized to:

Charge the indicated fees to the below mentioned deposit account.

Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †

Applicant claims small entity status See 37 CFR 1.27

Deposit Account Number: 19-2555
 Deposit Account Name: FENWICK & WEST LLP

Duplicate Copy of this authorization is attached

2. Payment Enclosed:

Check Credit Card Other

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	[]
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	[]
147/\$2,520	147/\$2,520	For filing a request for reexamination	[]
115/\$110	215/\$55	Extension for response within first month†	[]
116/\$390	216/\$195	Extension for response within second month†	[]
117/\$890	217/\$445	Extension for response within third month†	[]
118/\$1,390	218/\$695	Extension for response within fourth month†	[]
128/\$1,890	228/\$945	Extension for response within fifth month†	[]
119/\$310	219/\$155	Notice of Appeal	[]
141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application	[]
142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)	[]
143/\$440	243/\$220	Design Issue Fee	[]
122/\$130	122/\$130	Petitions to the Commissioner	[]
126/\$180	126/\$180	Submission of Information Disclosure Statement	[]
179/\$710	279/\$355	Request for Continued Examination (RCE)	[]
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	[]
146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1 129(a))	[]
149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1 129(b))	[]
Other fee (specify):			[]
Other fee (specify):			[]
SUBTOTAL (3)			(\$0.00)

FEE CALCULATION (fees effective 10/01/2000)

1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/\$710	201/\$355	Utility Filing	710
106/\$320	206/\$160	Design Filing	[]
108/\$710	208/\$355	Reissue	[]
114/\$150	214/\$75	Provisional Filing	[]
SUBTOTAL (1)			(\$) 710

2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
103/\$18	203/\$9	Claims in excess of 20	[]
102/\$80	202/\$40	Independent claims in excess of 3	[]
104/\$270	204/\$135	Multiple dependent claim	[]
109/\$80	209/\$40	Reissue independent claims over original patent	[]
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent	[]

(Col. 1)		(Col. 2)		(Col. 3)				
For	No. of Existing Claims	Highest No. Previously Paid For	=	Extra**	x	Fee	=	
TOTAL	30	20 or 10	=	10	x	18	=	180
INDEP	5	3 or 2	=	2	x	80	=	160
[] First presentation of multiple dependent claim								=

* Subtract the greater number of Col. 2
 ** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) (\$340)

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Martin S.C. Loui	Reg. Number	43,411
Signature		Date	June 1, 2001

EL566201001US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	David C. Banks
	Title	Link Trunking And Measuring Link Latency in Fibre Channel Fabric
	Atty Docket Number	19923-05988US

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

JUNE 1, 2001

Date



Signature

Martin S.C. Loui/Reg. No. 43,411

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**